

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-116299-001 DT

02/03/2014

JUDGE PRO TEM PHEMONIA L. MILLER

CLERK OF THE COURT

Y. King

Deputy

STATE OF ARIZONA

JENNA C GAMBLE

v.

ROBERT LOREN SCOWLEY (001)

DOB: 12/28/1979

REBECCA S POTTER

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:52 a.m.

Courtroom CCB 802

State's Attorney: Karen Komrada

Defendant's Attorney: Rebecca Potter

Defendant: Present

Court Reporter, April Escobedo, is present.

A record of the proceeding is also made by audio and/or videotape.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

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OFFENSE: Count 1 Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs

Class 4 Felony

A.R.S. § 28-1381(A)(1), 1383(A)(1), 3001, 3304, 3305, 3315, 13-701, 702, 801

Date of Offense: 07/20/2012

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 4 month(s) from 02/03/2014

Presentence Incarceration Credit: 31 day(s)

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 2 Years

Upon release from prison for felony DUI (4 months; 31 days credit).

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$25.00 per month, beginning on a date to be determined by APD.

FINE: Count 1 - Total amount of \$1,372.50, which includes surcharges of 83%, payable per month beginning on a date to be determined by APD.

DUI ABATEMENT FUND: Count 1 - \$250.00, payable per month, beginning on a date to be determined by APD.

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PRISON CONSTRUCTION & OPERATIONS FUND: Count 1 - \$1,500.00, payable per month, beginning on a date to be determined by APD.

STATE GENERAL FUND: Count 1 - \$1,500.00, payable per month, beginning on a date to be determined by APD.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on a date as determined by APD.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on a date as determined by APD.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on a date as determined by APD.

Investigative Agency:

Scottsdale Police Department

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 24 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 22: Other - IT IS ORDERED the Defendant shall participate in a MADD Victim Panel, Substance Abuse treatment/counseling; Mental Health screening, treatment and counseling deemed necessary.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

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1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 2.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

IT IS FURTHER ORDERED that the Defendant shall be required to equip any motor vehicle he operates with a certified ignition interlock device for at least one (1) year upon the conclusion of his license suspension or revocation. Defendant must pay for the installation of the device and shall provide proof of the installation, proof of compliance, and proof of inspection of the device to his/her probation/parole officer every ninety (90) days.

9:59 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM PHEMONIA L. MILLER
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)